

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Terrance Quillen,

Petitioner,

v.

Case No. 1:14cv170

Warden, Marion Correctional
Institution,

Judge Michael R. Barrett

Respondent.

ORDER

This matter is before the Court on the Report and Recommendation filed by the Magistrate Judge on October 26, 2015 (Doc. 16).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's Report and Recommendation have been filed.

Accordingly, it is **ORDERED** that the Report and Recommendation (Doc. 16) of the Magistrate Judge is hereby **ADOPTED**. Grounds One through Three of the petition for writ of habeas corpus are **TRANSFERRED** to the United States Court of Appeals for the Sixth Circuit and Ground Four is **DENIED** with prejudice.

Consistent with the recommendation by the Magistrate Judge, a certificate of appealability shall not issue as the Court will certify that an appeal of this Order adopting this Report and Recommendation would not be taken in "good faith" and would **DENY** petitioner leave to appeal *in forma pauperis*.

IT IS SO ORDERED.

s/Michael R. Barrett
Michael R. Barrett
United States District Judge